

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JEAN SHIRAH,)
)
Plaintiff,) CIVIL ACTION NO.
) CV-09-248
v.)
) Removed from the Circuit Court
CREDITORS FINANCIAL) of Mobile County, Alabama
GROUP, LLC,) (Case No. 09-562-RPS)
)
Defendant.)

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendant Creditors Financial Group, LLC (“Creditors Financial”), by and through undersigned counsel, pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, hereby removes this action from the Circuit Court of Mobile County, Alabama to the United States District Court for the Southern District of Alabama on the following grounds:

1. On or about March 27, 2009, an action was commenced in the Circuit Court of Mobile County, Alabama styled *Jean Shirah v. Creditors Financial Group, LLC*, Case No. 09-562-RPS (the “State Court Action”).
2. Creditors Financial was served with the State Court Summons and Complaint on April 6, 2009.

3. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely because it has been filed within thirty (30) days of service and receipt of the Civil Summons and Complaint for the State Court Action.

4. Plaintiff alleges that Defendant violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* Accordingly, this Court has original jurisdiction pursuant to 28 U.S.C. § 1331.

5. Pursuant to 28 U.S.C. § 1446(a), copies of all process and pleadings served upon Creditors Financial in the State Court Action are attached as Exhibit A. Creditors Financial is aware of no further proceedings in the State Court Action.

6. By filing this Notice of Removal, Creditors Financial does not waive any defense that may be available to it.

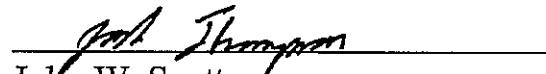
7. A copy of this notice will be filed with the Clerk of the U.S. District Court for the Southern District of Alabama, as required by 28 U.S.C. § 1446(d).

8. Creditors Financial will give written notice of the filing of this notice to all parties as required by 28 U.S.C. § 1446(d), including the Circuit Court of Mobile County, Alabama where the underlying action was pending.

9. Venue for removal is proper in this district and division under 28 U.S.C. § 1441(a) because this district and division embrace the Circuit Court of the State of Alabama for Mobile County, the forum in which the State Court Action was pending.

10. Based on the foregoing, pursuant to 28 U.S.C. § 1441(a), removal of Plaintiff's Complaint is proper on the basis of federal question jurisdiction under 28 U.S.C. § 1331.

Respectfully Submitted,


John W. Scott
Joshua S. Thompson
Attorneys for Defendant Creditors
Financial, LLC

OF COUNSEL:

SCOTT DUKES & GEISLER, P.C.
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon all parties by placing a copy of same in the United States mail, first class postage prepaid and addressed as follows:

Kenneth J. Riemer, Esq.
Post Office Box 1206
Mobile, Alabama 36633

DONE this the 4th day of May, 2009.



Of Counsel

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